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The Jammu and Kashmir Game Preservation Act, 1998.

ACT No. XXIV OF 1998.

AN ACT TO AMEND AND CONSOLIDATE THE LAW RELATING TO THE PROTECTION AND PRESERVATION OF GAME IN THE JAMMU AND KASHMIR STATE.

Preamble WHEREAS it is expedient to amend and consolidate the law relating to the protection and preservation of Game in the Jammu and Kashmir

State, We hereby enact as follows :—

Short title commencement and extent 1. (1) This Act may be cited as the Jammu and Kashmir Game Preservation Act, 1998.

(2) It shall come into force at once.

(3) It shall extend to the whole of the State :

Provided that Government may, by notification in the Government Gazette, exempt any place from the operation of the whole or any portion of this Act.

Repeal and savings. 2 The Game Laws notifications issued from time to time and the rules framed thereunder are hereby repealed ; but all powers conferred, licences issued, exemptions granted, orders and appointments made, notifications published, rules, conditions and forms prescribed under the said notifications or the rules framed thereunder, so far as they are not inconsistent with the provisions of this Act, shall be deemed to have been respectively conferred, issued, granted, made, published and prescribed under this Act.

Application of the Act. 3. This Act applies in the first instance, to the birds and animals specified in Schedules I, II, III and IV when in their wild state ;

Provided that Government, may, by notification in the Government Gazette, apply the provisions of this Act to any other species of bird or animal, which in their opinion, it is desirable to protect or preserve.

4. In this Act, unless there is anything repugnant in the subject or context :—

Definitions.

(1) "Animal" means an animal which suckles its young ;

- (2) "Big Game" means animals specified in Schedule II ;
- (3) "Cattle" includes bulls, oxen, heifers, cows and calves, camels, buffaloes, horses, mares, geldings, ponies, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids ;
- (4) "Forest Officer" includes all persons exercising powers under the Jammu and Kashmir Forest Act, (II of 1987) ;
- (5) "Forest Produce" means forest produce as defined in the Jammu and Kashmir Forest Act, (II of 1987) ;
- (6) "Game" includes both "Big Game" and "Small Game" ;
- (7) "Game Preservation Branch" means the Game Preservation Branch of the Forest Department ;
- (8) "Game Reserve" means any area which has been or may be declared by Government by notification in the Government Gazette to be a Reserve for the preservation of game ;
- (9) "Game Sanctuary" means any area which has been or may be declared by Government, by notification in the Government Gazette, to be a sanctuary for the preservation of game ;
- (10) "Licence" means a licence issued under this Act ;
- (11) "Officer of the Game Preservation Branch" means any person, whom Government, or any officer empowered by Government in this behalf, may, from time to time, appoint, by name or as holding an office, to carry out all or any of the purposes of this Act, or to do anything required by this Act or any rule made under this Act, to be done by an officer of the Game Preservation Branch ;
- (12) "Police Officer" includes all persons exercising powers under the Jammu and Kashmir Act (II of 1983) ;
- (13) "Prescribed" means prescribed by rules made under this Act ;
- (14) "Reserved Area" means any area declared by Government, by notification in the Government Gazette to be a reserved area ;
15. "Small Game" means birds and animals specified in Schedule I ;
- (16) "Vermin" means birds and animals specified in Schedule IV.

5. (1) Government may, from time to time, by previous Notification in the Government Gazette, declare any area, owned by them to be a Game Sanctuary, a Game Reserve or a Reserved Area, and may transfer such area from one category to the other if and whenever they may deem it expedient to do so.

Power to declare Game Sanctuaries, Game Reserves and Reserved Areas.

(2) Government or any officer empowered by them in this behalf, may, at any time, in respect of any area owned by them notify that any shooting, killing or capturing of Game for a particular period in that area is prohibited.

6. The extraction of forest produce from Game Sanctuaries and Game Reserves, not detrimental to the preservation of game, may be permitted by the Chief Conservator of Forests, but shooting or grazing, cultivation, habitation or traffic is prohibited ;

Limits on the exercise of certain acts in Game Sanctuaries and Game Reserves.

Provided that licence-holders may be allowed shooting by special permission of the Game Warden in the Game Reserves.

7. It shall not be lawful to cut trees, bushes, undergrowth and grass from a Reserved Area except under orders of the Chief Conservator of Forests ;

Limits on the exercise of certain acts in Reserved Areas.

Provided that licence-holders may be allowed shooting in such areas by special permission of the Game Warden.

8. (1) Small Game specified in Schedule I may, by virtue of a licence issued under this Act, be shot, bought, sold or offered for sale, during the respective periods specified

Conditions under which shooting and capturing permissible

in column 3 of the said schedule.

(2) Big Game specified in Schedule II, may by virtue of a licence issued under this Act, be shot to the extent permitted by such licence subject to the prohibitions prescribed.

(3) Game specified in Schedule III may be captured and possessed alive as call-birds or pets to the extent permitted in the said Schedule by licence-holders under a permit from the Game Warden, but sale of such call-birds or pets can only be allowed under a special permit.

(4) Except as provided above it shall not be lawful for any person to capture, possess or sell call-birds or pets.

9. Except as provided in Schedule III, it shall not be lawful to sell or export for sale live Small Game or to collect, possess, sell or export the eggs of peafowl or of any of the birds

Prohibition against export and sale of Small Game.

specified in Schedule I.

10. It shall not be lawful to :—

Prohibitions regarding Big Game.

(i) possess, sell or export for sale live game animals specified in Schedule II Class A ;

(ii) sell or export for sale horns or skins of animals specified in Schedule II Class A ;

(iii) possess, sell or export for sale musk pods of

musk deer except under special permission of the Game Warden.

11. Government may, by notification, which may apply either to the whole of the State or to any specified part thereof.—
Power to add or exclude from Schedules

(a) add to, or exclude from, the Schedules I, II, III and IV any species of bird or animal subject to such conditions as they may impose in each case;

(b) fix or alter the period during which any Game specified in Schedules I and II may be shot;

(c) alter the number specified in Column 3 of Schedule III of Game which may be kept as call-birds or pets;

(d) fix or alter the close season during which game shall not be shot, killed or captured;

(e) alter or add to the prohibitions specified in Sections 9 and 10.

12. Any person in possession of any Game or any person found in search of any Game specified in Schedules I and II shall, if required so to do by a person authorised in this behalf, produce his licence on demand.
Person in possession of any game to produce his licence when required.

13. (1) Licences under this Act shall be issued in the form prescribed. Such licences shall be non-transferable and non-shareable.
Licenses.

(2) The fees chargeable in respect of such licences and the number and limitation of size of each species of game animals specified for each of them shall be fixed by Government from time to time and notified in the Government Gazette.

14. It shall not be lawful for any person to kill Game except by shooting under a licence or to proceed in search of or shoot or capture Game, except under and in accordance with the terms and conditions of his licence.
Prohibition against killing or shooting without licence.

15. It shall not be lawful to shoot, kill or capture Game in the close season.
Prohibition against shooting or capturing in close season.

16. (1) Subject to such restrictions or conditions as they may impose, Government may grant exemptions from payment of licence-fees.
Power to grant exemptions.

(2) Government may, where they are of opinion that such a course is desirable in the interests of scientific research or for the better protection or preservation of crops, grant free permits to do any act prohibited by this Act subject to such restrictions or conditions as they may impose.

17. (1) Any officer of the Game Preservation Branch or of the Forest or Police departments may

Procedure with regard to arrest of offenders and seizure of property.

arrest without warrant any person who commits or attempts to commit, or is reasonably suspected by such officer of having committed, or attempted to commit, an offence under this Act, if he has reasonable ground for believing that that person will abscond unless arrested, or if the name and address of that person are unknown to such officer and such person refuses on demand of such officer to give his name and address or gives a name and address which such officer has reason to believe to be false.

(2) Every person arrested under sub-section (1) shall be released on his giving his correct name and address or executing a bond, with or without sureties, to appear before a Magistrate, if so required.

(3) Should the true name and address of such person not be ascertained within 24 hours from the time of arrest, or should he fail to execute the bond, or if so required, to furnish sufficient sureties, he shall forthwith be forwarded to the nearest Magistrate having jurisdiction.

(4) Any officer who is empowered to make arrests may seize all guns, firearms and ammunition as well as all trophies, dogs, nets, snare or other appliances found in the possession of any person who is arrested or against whom a reasonable suspicion exists of having been concerned in any offence punishable under this Act or who is found carrying them in such circumstances as afford reasonable ground for suspicion that he is carrying the same with the express purpose of catching or killing Game. A list of all things so seized shall be prepared by such officer or other person and signed by two or more witnesses.

18. (1) Government may, from time to time by previous notification in the Government Gazette, empower a gazetted officer or officers either by name or by virtue of office :—

Power to compound offences.

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any offence punishable under this Act a sum of money by way of composition for such offence, and

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer or without payment according to circumstances.

(2) On the payment of such sum of money or such value if demanded, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the pro-

perty, if any seized, shall be released and no further proceeding shall be taken against such person or property.

(3) The sum of money accepted as composition under this section shall in no case exceed the amount of the highest licence fee chargeable for the time being for a licence under this Act provided that where the infringement of the provisions of this act relates to grazing of cattle in Game Sanctuaries and Game Reserves, the amount of composition shall not exceed one rupee per head of cattle or a total of fifty rupees in any one case,

and where fire-wood or grass has been cut from such Game Sanctuaries and Game Reserves the amount of such composition shall not exceed rupees five per person.

19. Government may, from time to time by notification in the Government Gazette, empower any gazetted officer either by name or by virtue of office,

Power to confiscate Game, guns, etc., and to cancel or refuse licences.

(1) to confiscate any bird or animal in respect of which an offence punishable under this Act has been committed, or the flesh or any other part of such bird or animal ;

(2) to confiscate guns, implements, nets, and dogs used in or for the purpose of aiding the commission of such an offence ;

(3) to cancel licences and permits in cases of infringement of the provisions of this Act or of the rules made thereunder, and

(4) to refuse to issue a licence at his discretion and without assigning any reason.

20. (1) Whoever commits, abets or attempts to commit, a breach of any of the provisions of this Act or any rule made thereunder shall be

Penalties.

punished :—

(a) in case of an offence relating to a Game Sanctuary with fine which may extend to one hundred rupees on first conviction, and for every subsequent conviction of any such offence with imprisonment of either description for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both, and

(b) in the case of any other offence, with fine, which may extend to fifty rupees on first conviction and for every subsequent conviction of any such offence, with imprisonment of either description which may extend to one month, or with fine which may extend to one hundred rupees, or with both.

(2) In addition to any punishment awarded under subsection (1), the convicted person shall be liable to forfeit all sums or other weapons or appliances and dogs used in and for

the purpose of aiding the commission of such offence as well as all trophies collected, and, if a *Shikari*, he shall also be liable to forfeit his permit for one year, or for such further period as may be considered necessary.

(3) Any *Shikari*, Watcher, or any other State employee who fails to report any infringement of the provisions of this Act or of any rule made thereunder on its being brought to his notice shall be liable to the punishment laid down in subsection (1).

21. Whoever, being a *Shikari*, takes up service with a sportsman without obtaining a permit from the Game Preservation Branch shall be punished as if he had committed an offence under Section 20 (1).

Penalty for *Shikari* taking up service without permit.

sportsman without obtaining a permit from the Game Preservation Branch shall be punished as if he had committed an offence

under Section 20 (1).

22. Whoever, with intent to cause damage or injury to the public, or to any person, or to cause wrongful gain as defined in the Ranbir Penal Code, alters, removes, destroys or defaces any boundary mark of a Game Sanctuary or of a Game Reserve or of a Reserved Area, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Penalty for altering, removing, destroying or defacing boundary mark etc.

the public, or to any person, or to cause wrongful gain as defined in the Ranbir Penal Code, alters, removes, destroys or

defaces any boundary mark of a Game Sanctuary or of a Game Reserve or of a Reserved Area, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

23. Any person or persons giving such *bonafide* information as shall lead to conviction under this Act or the rules made thereunder, shall be entitled to reward which may, at the discretion of the Magistrate trying the case, extend to the full amount of the fine inflicted.

Rewards,

tion as shall lead to conviction under this Act or the rules made thereunder, shall be

entitled to reward which may, at the discretion of the Magistrate trying the case, extend to the full amount of the fine inflicted.

EXPLANATION.—Government employees who give such information shall not be debarred from receiving the above rewards.

24. No court inferior to that of a Magistrate of the first class shall try any offence under this Act.

Trial of offences,

class shall try any offence under this Act.

25. No court shall take cognizance of any offence under this Act except on the complaint of a person specially or generally authorised by the Government in this behalf.

Persons who may lodge complaints,

this Act except on the complaint of a person specially or generally authorised by

the Government in this behalf.

26. (1) Government, may, make rules consistent with this Act for the purpose of carrying into effect the provisions thereof.

Power to make rules,

this Act for the purpose of carrying into effect the provisions thereof.

(2) In particular and without prejudice to the generality of the foregoing power, Government may make rules for all or any of the following purposes, namely:—

(a) to prescribe the forms in which, the terms and

conditions under which, and the officers by whom, licences or free permits may be granted;

(b) to prescribe the fees to be charged for a licence or licences;

(c) to prescribe the number of animals, and the limitation of sizes thereof, to be permitted under a licence or licences;

(d) to prescribe prohibitions regarding shooting, killing and catching of wild birds and animals according to necessity;

(e) to prescribe the person or class of persons who may make complaints of offences under this Act or may require the production of a licence under Section 12;

(f) to regulate the procedure in the matter of grant of rewards to be paid to persons giving information of offences under this Act, or to those killing vermin, and prescribing the officers by whom such rewards may be given;

(g) to prescribe and limit the powers and duties of any officers under this Act; and

(h) to regulate the grant of refund of licence fees paid under this Act.

(Sd.) HARISINGH,

MAHARAJA,

Jammu and Kashmir.

SCHEDULE I.

Schedule of Small Game which under section 8 (1) may by virtue of a licence issued under this Act, be shot, bought, sold, or offered for sale during the respective periods specified in Column 3, subject to the prohibitions prescribed.

1	2	3
Serial No.	Name.	Period.
1	Snipe, woodcock and Sand-grouse.	September, 1 to March, 31.
2	Geese, Duck and Teal ...	September, 16 to April, 15.
3	Chikor, Pheasant, Partridge (Grey and Black) and Jungle fowl.	October, 1 to end of February.
4	Snow-cock (Ramchikor) and snow Partridge.	October, 1 to April, 30.
5	Quail and Rufus Turtle Dove (Kamlowa).	September, 16 to May, 31.
6	Hare ...	September, 16 to March, 31.

NOTE.—(a) Hawking, and netting of quail is permissible only under a special licence.

(b) The dates mentioned are in all cases inclusive.

SCHEDULE II.

Schedule of Big Game which under Section 8 (2) may by virtue of a licence issued under this Act, be shot to the extent permitted by such licence subject to the prohibitions prescribed.

CLASS A.

Serial No.	1	2	Name.
1	Barasingha.		
2	Brown Bear.		
3	Markhor.		
4	Ibex.		
5	Serow.		
6	Ammon.		
7	Sharpu.		
8	Bharal.		
9	Urial.		
10	Antelope.		
11	Gazelle.		
12	Musk-deer.		
13	Barking-deer.		
14	Chital.		
15	Thar.		
16	Goral.		

CLASS B.

Serial No.	1	2	Name.
1	Pig.		
2	Black bear.		
3	Himalyan Lynx.		
4	Leopard.		
5	Snow Leopard		
6	Wolf.		
7	Fox.		
8	Jackal.		
9	Otter.		
10	Pine-marten.		

SCHEDULE III.

Schedule of Game birds and animals which under Section 8 (3) may be captured and possessed alive as call-birds or pets by licence-holders to the extent specified in Column 3 and which may be sold by them under a special permit.

1	2	3
Serial No.	Name.	Number permitted.
1	Chikor	One pair.
2	Partridges (Black & Grey)	Two pairs of each kind.
3	Quail	One dozen.
4	Black Bear	Two.

SCHEDULE IV.

The following birds and animals are classed as "Vermin":—

Serial No.	Name.
1	Leopard.
2	Snow Leopard.
3	Wolf.
4	Jackal.
5	Fox.
6	Otter.
7	Lynx.
8	Wild cat.
9	Pine-marten.
10	Mongoose.
11	Carrion-Crow.
12	Cormorant and other fish killing birds.

NOTE—The animals specified above may be trapped by virtue of a license issued under this Act.

NOTIFICATION 1.

In exercise of the powers conferred by section 1, sub-section (3) of Jammu and Kashmir Game Preservation Act, the Government are pleased to exempt the following places from the operation of the Act.

(a) Illaqa of Poonch and Chenani.

(b) State Rakhs specified in the Schedule attached hereto of which may hereafter be declared as State Rakhs.

(c) 1. The Gandoos and Rambak nullahs belonging to the Raja of Khaplu.

2. The Shigar, the Rondu and the Kiris Nullahs, also portions of the Mantho and Satpur nullahs as demarcated in 1905 A. D. belonging to the Rajas of Tolti and Skardu respectively—

3. The Harcho nullah in Astor belonging to the Raja of Astor.

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SCHEDULE.

LIST OF STATE RAKHS.

Kashmir Province.

1. Dachigam.
2. Khunmu and grass-farm between Sangri and Chak Khanmoo.
3. Khrew.
4. Tral-cum-Khiram and Panyar.
5. Khul basin in Awantipura Tehsil.
6. Anchar Lake from Petkundal to Sangam.
7. Hoker Sar Jhil.
8. Dev Bhawan, Fresh Nar and Gallan Nullahs of Khiram Big Game area.

Jammu Province.

- | | | | |
|--------------------|-----------------------------------|---|-------------------------|
| 1. Ramnagar | ... | } | Jammu Tehsil. |
| 2. Keran | ... | | |
| 3. Kheri | ... | | |
| 4. Bahu | ... | | |
| 5. Mansar (Tunnel) | Jammu and Reasi Tehsils. | | |
| 6. Mansar (Sagoon) | Jammu Samba and Ramnagar Tehsils. | | |
| 7. Sansu | ... | } | Udhampur Tehsil. |
| 8. Tandeh | ... | | |
| 9. Nehranai | ... | } | Ramnagar Tehsil. |
| 10. Kotli | ... | | |
| 11. Thanoa | ... | | |
| 12. Janganoo | ... | | |
| 13. Makwal | ... | } | Ranbirsinghpura Tehsil. |
| 14. Badyal | ... | | |
| 15. Agra Chak | ... | | |
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NOTIFICATION 2.

In supersession of all previous notifications, issued in this behalf and in exercise of the powers conferred by section 5 of the Jammu and Kashmir Game Preservation Act 1998; Government are hereby pleased to declare the following areas as Game Sanctuaries, Game Reserves and Reserved Areas respectively :—

I. GAME SANCTUARIES.

Kashmir Province.

- (i) Ajjas area and Jhil.
- (ii) Khushmul and Yimu basins in Baltistan.
- (iii) Rajparin and Bewa basins in Nowbug Valley.
- (iv) Sommjani and Sapphire mines nullah in Kishtwar.
- (v) Askor Nullah in Rondu, Baltistan.
- (vi) Pond near Sri-Gouri Shanker in Kishtwar.
- (vii) Shankaracharya Hill and also slopes of the mountains behind Shankaracharya Hill from Aitgaji to Pandrethan.

2. *Jammu Province.*

Places sacred to all communities.

II. GAME RESERVES.

Kashmir Province.

- (i) Achhabal Rakh.
- (ii) Chhatargul Nullah in Sindh Valley.
- (iii) Wangat Nullah in Sindh Valley.
- (iv) Khandi and Kharus Nullahs in the Uri Tehsil, the lower boundary of which is the new road to Haji Pir.
- (v) Chashma Shahi Rakh.
- (vi) Astor shooting area as specified in Schedule A.
- (vii) Kajnag and Kafirgund areas including the Salkhala the Moji and Shamsberry Rakhs.
- (viii) Ovra Rakh in Lidder Valley.
- (ix) Khiram Rakh (Big Game area except Nullahs Dev Bhawan, Fresh Nar and Gallan).

Ladakh.

- (i) Ovis-ammon Blocks (specified in Schedule A).
- (ii) Sharpu Blocks (specified in Schedule B).

Jammu Province.

- (i) All the Rakhs under the Revenue Department.
- (ii) Shashehra Forest—an area near Rajouri in the Mirpur Forest Division.
- (iii) Jhallangar Forest, an area near Reasi in the Reasi Forest Division.
- (iv) Jasrota Forest I and II including Bagni-Block an area near Kathua in the Kathua Forest Division.
- (v) Dalsar.
- (vi) Marh.
- (vii) Gurah.

III. RESERVED AREAS.

Kashmir Province.

- (i) The Dara area.
 - (ii) The Nishat and Bren area.
 - (iii) The Pampur, Karanchoo, Manibooq and Chadaro Jhils.
 - (iv) Mirgund Jhil.
 - (v) Hygam Jhil.
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SCHEDULE A.

1. The tributaries of the Indus from Dumochok to Koyul.
 2. The watershed of the Koyul river as far as its junction with the Indus, below this all tributaries, of the Indus as far as big bend of the river at Dungti.
 3. Hanle river basin as far as South of Hangle Monastery.
 4. Hanle river basin south of (3).
 5. The tributaries of the Indus between the Hanle river and Puga river.
 6. The country lying between 3 and 4 on the East, 5 on the North and 6 on the West.
 7. The basin of the Salt Lake and tributaries of the Indus between (and including) the Puga river as far as the water of the Tiri Foo.
 8. The basin of the Tsomoriri lakes and the Phirsi Nallah.
 9. The Tiri Foo and the country lying to the north bounded by Indus on the north and east, the Leh Kulu road on the West and the watershed of Tsoker Camo plain on the South.
 10. The watershed of the Zera and Rukchen river.
 11. The watershed of the Marka river.
 12. The Kharnak nullah.
 13. The triangular area lying between Choosbal on the north, the Frontier on the east the watershed of the Choosbal river and Chamtnag Foo on the west and the Indus on the south from Chamtnag to Dungti.
 14. The catchment areas of Tanse river.
 15. The Changchanmo area.
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SCHEDULE B.

1. The Igu and Chimre nullah.
 2. Nag and Sabu.
 3. Phyang and Tara.
 4. Umla and Nimo.
 5. Bazgo and Myel.
 6. Likir and Suspul and Waleh-Drokpa.
 7. Hemis Shupka, Nurla and Khalsi.
 8. Damkar and Hanu.
 9. Hemiskit and Wanla.
 10. Iluchi and Lardu.
 11. The watershed of the Zaskar and Marka-rivers below,
but including the Skew nullah.
 12. Rumpakh.
 13. Stock and Shang.
 14. Masho.
 15. Shera and Lockey.
 16. Kamdok.
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NOTIFICATION 3.

In supersession of all previous Notifications issued in this behalf and in exercise of the powers conferred by Section 11 (d) of the Jammu and Kashmir Game Preservation Act, 1998, Government are hereby pleased to direct that the following Game shall not be shot or captured during the close seasons specified below :—

KASHMIR PROVINCE

(including Kishtwar tehsil of Jammu Province).

*Big Game.**Close season.*

- | | | |
|---------------|----|-------------------------------|
| 1. Barasingha | .. | 16th March to 15th September. |
| 2. Ammon | .. | 16 October to 15th April. |

Small Game.

- | | | |
|---------------------------------------|----|-------------------------------|
| 1. Chikor, Partridges, and Pheasants. | | 1st March to 30th September. |
| 2. Geese, Duck and Teal.. | | 16th April to 15th September. |
| 3. Snipe, Woodcock and Sand Grouse. | | 1st April to 15th September. |
| 4. Ramchikor | .. | 1st May to 30th September. |
| 5. Quail. | .. | 1st June to 15th September. |
| 6. Hare. | .. | 1st April to 15th September. |

JAMMU PROVINCE

(excluding Kishtwar Tehsil).

Big Game.

Pig, Goral and Barking-deer 1st March to end of August.

Small Game.

The same as in Kashmir Province.

NOTE.—(a) The dates mentioned are in all cases inclusive.

(b) Hawking is prohibited during the respective periods specified above.

NOTIFICATION 4.

RULES.

In exercise of the powers conferred by section 26 of the Jammu and Kashmir Game Preservation Act 1998, Government are hereby pleased to make the following rules :—

1. These rules shall be called the Jammu and Kashmir Game Preservation Rules.

2. They shall extend to the areas to which the Jammu and Kashmir Game Preservation Act 1998, (hereinafter referred to as 'the Act') extends.

3. In these rules unless there is anything repugnant in the subject or context—

(a) "Game Warden" means the officer in charge of the Game Preservation Branch of the Forest Department.

(b) "Shikari" means a person registered by the Game Warden and granted a Shikari-permit as such.

CHAPTER I.

4. The Game Warden is authorised to exercise the Powers of the Game Warden. following powers under the Act :—

(i) General control of matters concerning Game.

(ii) Issue of Licences.

(iii) Issue of permits for shooting in Game Reserves and Reserved Areas.

(iv) Powers of a Civil Court to compel the attendance of witnesses and the production of documents in cases relating to offences under the aforesaid Act.

(v) Registration of Shikaris and cancellation of their Shikari-permits.

(vi) Issue of special permits for killing vermin.

(vii) Grant of rewards in accordance with the rules for killing vermin.

(viii) Grant of free permits to zamindars to kill wild animals as detailed on the permits for the protection of their crops and live stock subject to the conditions prescribed.

(ix) Cancellation of licences in cases of infringement of the provisions of the Act or of these rules.

(x) Power to refuse at his discretion the issue of a licence or permit.

(xi) Power to compound offences under Section 18 of the Act.

(xii) Power to confiscate game guns etc. under Section 19 of the Act.

(xiii) Power to Notify the closure of any area for shooting or capturing of Game.

CHAPTER II.

5. No person shall take service as a Shikari with a licence holder unless he has been registered as a Shikari by the Game Warden and granted a Shikari-permit on the prescribed form which shall be renewable annually.

CHAPTER III.

6. The Game Warden is authorised to grant rewards not exceeding the amount of the composition realised to persons giving *bonafide* information about an offence against the Act.

7. The following scale of rewards may be paid by the Game Warden for vermin killed by licence-holders or by any other person specially authorised to kill them :—

(i) Leopard and snow leopard	Rs. 10	0	0	each.
(ii) „ „ „ (Cub) ...	„	5	0	0 „
(iii) Wolf, Lynx and Otter ...	„	5	0	0 „
(iv) Marten and wild-cat ...	„	2	0	0 „
(v) Mongoose and Carrion-crow, cormorant and other fish killing vermin ...	„	0	4	0 „

8. In all cases the reward will be paid on the skin being brought or sent to the Game Warden (or in the case of the Jammu Province to the Assistant Game Warden Jammu) by the Killer before it is cured. The skin will then be stamped under the authority of the Game Warden (or in the case of the Jammu Province of the Assistant Game Warden Jammu) and returned to the owner if he is a licence-holder.

9. No reward will be paid in respect of skins brought in by skin merchants or taxidermists.

CHAPTER IV.

10. All applications for licences under Rule 4 (ii) and for the grant of free permits under Rule 4 (viii) shall be made to the Game Warden or to the Assistant Game Warden.

11. When a licence granted under these Rules is lost or accidentally destroyed, the authority which granted the licence may grant a duplicate thereof on payment of one rupee by the original licence-holder.

12. Every licence-holder shall return the licence duly signed on the expiry of its period to the authority which granted it with a statement showing the number of game animals killed by him.

13. No skin merchant or taxidermist shall purchase or take into his possession the skin of any wild animal from any person not holding a licence under the Rules.

14. No skin merchant or taxidermist shall refuse, on demand by the Game Warden or by any person authorised by the Game Warden in this behalf, to furnish information relating to the possession, purchase or sale of skins by him.

CHAPTER V.

15. For shooting in Astore, Kajnag and Kafirkund Ladakh and Baltistan licence-holders shall be required to obtain special permits from the Game Warden, Srinagar.

The shooting season for Astore, Kajnag and Kafirkund, Ladakh and Baltistan is divided into two periods as follows:—

First period	...	16th	to	15th July.
Second period	...	16th	to	15th October
(both dates inclusive).				

Booking of Game Reserves in these areas starts on 2nd January every year.

Permits for the first period shall be granted to licence-holders in order of receipt of their applications after their arrival in Srinagar.

Permits for the second period shall be granted to licence-holders in order of receipt of their applications.

Astore Shooting Area.

The Astore shooting area comprises:—

Definition.

- (i) the catchment area of the streams flowing from the Kamri and the Burzila passes to their junction near Gurukot.
- (ii) the catchment area of the Astore river between the above junction and Ramghat.

(iii) the catchment area above Ramghat of nullahs on the left bank of the Indus as far as the junction of the Gilgit river and above this the whole of the country on both banks of the Indus situated in Bunji Niabat including Bulatchi nullah.

NOTE :—The upper limit of the Bunji Niabat on the left bank of the Indus is near Bulatchi village and on the right bank is the camping ground at Shangus.

16. No licence-holder holding a special permit for shooting in Astore shall enter the Astore shooting area from Foola Waiye and Kel through Mir Malik.

17. No Shikari from the Kashmir Province shall enter the Astore shooting area unless he obtains the written permission of the Game Warden to do so.

18. Permits to ten guns only shall be issued during each period out of whom six only shall be permitted to shoot Markhoor in any such
Open Nullahs.

of the following nullahs :—

- (1) Dashkit,
- (2) Mushkin,
- (3) Abadipur,
- (4) Burnai,
- (5) Mayadas,
- (6) Shaltar,
- (7) Burduch, and
- (8) Garey.

The remaining four guns shall get permits to shoot Ibex, Sharpu and Brown Bear in—

(i) the nullahs flowing into the Kamri river except the Mir Malik nullah, and

(ii) the nullahs flowing into the Astore river on the left bank below Astore and both banks above Astore.

19. The shooting of game is altogether prohibited in the following nullahs :—

Closed Nullahs.

(i) Nullahs on the right bank of the Astore river below Astore as far as Bunji,

(ii) Nullahs in Bunji Tehsil flowing into the Indus above Bunji, and

(iii) Nullahs running into the Indus below Ramghat.

Kajnag and Kafirkund Areas.

20. The Kajnag and Kafirkund shooting area comprises the range of mountains and all off-shoots therefrom from Baramulla to Domel, the drainage of which flows into the rivers Pohru, Jhelum, Karnah and Kishenganga.

21. Permits to six guns only shall be issued during each period. Each of the six guns in each period shall be allowed to shoot in any one of the following nullahs :—

(i) The Limber including the Gretnar and the Bhimiar branches.

(ii) Islamabad.

(iii) Gujar.

(iv) Maidan.

(v) The Domel and Rapade beats in Kathia nullah.

(vi) The left side of Moji nullah.

22. The shooting of Markhor is prohibited in the following areas :—

(i) Goretal nullah.

(ii) Malangan nullah.

(iii) Shamsberry area.

(iv) Shalkhalla area.

23. Grazing or introduction of dogs is prohibited in Kajnag, Kafirkund areas including the Shalkhalla, the Moji and Shamsberry Rakhs above the Game Reserve boundary.

24. The shooting of Brown Bear is prohibited in the Kajnag and Kafirkund areas.

Ladakh.

25. The following Game Reserves are available for allotment in the Ladakh shooting area :—

Ovis Ammon.—Reserves Nos. 2, 4, 5, 6, 8, 10, 11, 13, and 15 *vide* Schedule A to Notification 2.

Sharpu.—Reserves Nos. 1, 4, 5, 6, 8, 9, 11, 12, 14, 15, and 16, *vide* Schedule B to Notification 2.

26. (i) In each period the number of guns allowed shall not exceed 8 in Ammon and 10 in Sharpu Reserves. Each licence-holder will be allowed one Ammon Reserve and one Sharpu Reserve. Out of the above guns three will be allowed to shoot in Changchanmo area for Antelope in addition to the Sharpu and Ammon Reserves.

(ii) The rest of the country not included in the reserves except the Changchanmo area may be shot over by any licence-holder holding a Ladakh permit.

(iii) The Stok nullah is available for shooting by licence-holders holding frontier licence for Ladakh under Rule 30 (III).

27. The names of all licence-holders obtaining permission to shoot in the Ladakh territory will be notified by the Game Warden to the Wazir Wazarat Ladakh.

Baltistan.

28. The following nullahs in Baltistan are available for allotment :—

- (i) Alchor,
- (ii) Heshpa,
- (iii) Nurh,
- (iv) Ghoru,
- (v) Turmic,
- (vi) Tsrui, and
- (vii) Bragicha.

29. (i) One gun will be permitted to shoot in one nullah for each period.

(ii) No gun will be allowed to shoot more than two Ibex and one Markhor in the nullah allotted to him.

(iii) No licence-holder shall enter the Astore area from Baltistan except with the special permission of the Revenue Assistant, Bunji.

CHAPTER VI.

30. (i) The following shall be the various kinds of licences which can be granted under these rules and the fees prescribed for each of them :—

Fees.

Summer Big Game Licence.

(I) A licence for which a fee of Rs. 125 is prescribed permitting the holder to shoot the following species and number of animals from March 16 to November 15 :—

(A) BIG GAME.

Markhor of any variety.	...	...	...	1
Ibex (one only in Ladakh)	...	...	...	2
Sharpu	...	...	...	2
Ammon	...	...	...	2
Bharal	...	...	...	4
Antelope	...	...	...	3
Gazella	...	...	...	1
Barasingha	...	...	...	1
Serow	...	...	...	2
Brown Bear	...	...	...	1
Thar	...	...	...	2
Goral	...	...	...	4

(B) **SMALL GAME.**—In season as specified Any number.
in Schedule I of the Act and Big
Game specified in Schedule II Class B
of the Act.

Winter Big Game Licence.

(II) A winter licence, for which a fee of Rs. 70 is prescribed and which will remain in force from November, 16 to March, 15, permitting the holder to shoot the following species and number of animals :—

BIG GAME.

Markhor of any variety	...	...	...	1
Ibex	...	...	...	1
Sharpu	...	...	...	2
Bharal	...	...	...	3
Antelope	...	...	...	2
Gazelle	...	...	...	1
Barasingha	...	...	...	1
Serow	...	...	...	1
Thar	...	...	...	2
Brown Bear	...	...	...	1
Goral	...	...	...	3

(C) **SMALL GAME.**—In season as specified in Any number.
Schedule I of the Act and Big Game specified
in Schedule II Class B of the Act

Frontier Licence.

III. (1) A licence for which a fee of Rs. 50 is prescribed and which will remain in force from November, 16 to March, 15 entitling the holder to shoot, except in Reserved Areas, the following species and number of animals subject to a maximum of 4 Sharpu and 2 Ibex in all :—

BIG GAME.

(a) In Baltistan and Lower Ladakh i.e. below Khalsi on the Indus.	{ Ibex	2
	{ Sharpu	2
(b) In upper Ladakh i.e. above Khalsi on the Indus.	{ Sharpu	2
	{ Bharal	2
(c) In Astore and Bunji	{ Sharpu	4
	{ Ibex	1
(d) In Gurais Valley	{ Brown	
	{ Bear	1

(e) **SMALL GAME.**—In season as specified Any number in Schedule I of the Act and Big Game specified in Schedule II Class B of the Act.

2. These licences are strictly limited in number and will be issued in special cases only by the Game Warden. No person can hold licences II and III at the same time.

Black Bear Licence.

IV. A licence, for which a fee of Rs. 15 is prescribed premitting the holder to shoot the animals mentioned in Class B of Schedule II of the Act, except Pigs, without limit from April 1st to March 31st, subject to the prohibitions prescribed.

Small Game Licence.

V. (a) A Small Game season licence for which a fee of Rs. 55 is prescribed and which will remain in force from September, 1 to April, 30, enabling the holder to shoot Small Game in season as specified in Schedule I of the Act, and Big Game specified in Schedule II Class B of the Act.

This licence does not entitle the holder to shoot within any Game Reserve except in the case of Pigs and Pheasants for shooting which a special permit may be issued by the Game Warden at his discretion.

Small Game Two Months' Licence.

(b) A small game licence, for which a fee of Rs. 30 is prescribed enabling the holder to shoot as provided under licence V (a) above but for a period of two months only running from the date of issue.

Small Game 15 Days' Licence.

(c) A small game licence, for which a fee of Rs. 15 is prescribed enabling the holder to shoot as provided under licence V (a) above but for a period of 15 days only running from the date of issue.

Punt Gun Licence.

(d) A small game licence, for which a fee of Rs. 50 is prescribed, enabling the holder to shoot wild-fowl with long guns from punts from September, 16 to April, 15.

Trapping Licence.

VI. A trapping licence for which, a fee of Rs. 40 is prescribed, issued for trapping animals mentioned in Schedule IV for one year from 1st April to 31st March subject to the conditions that the licence-holder shall not engage or employ more than two unlicensed persons to assist him with his gear. Only six traps are allowed on each licence.

Musk-Deer Licence.

VII. A special licence, for which a fee of Rs. 50 is prescribed enabling the holder :—

(a) to shoot one musk-deer; or

(b) if he is a holder of licence No. I, II or III to shoot one specimen extra of any one of the animals specified in his licence except Markhor, Ammon and Serow.

(2) Licences, I, II, IV, V, VI and VII shall be applicable to the whole of the Jammu and Kashmir State.

(3) For Jammu Province (excluding Kishtwar Tehsil) the scale of fees for shooting licence shall be as follows :—

Big and small game in season	Rs. 10 for shooting for one year from 1st July to 30th June.
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Small game in season	... Rs. 5 for shooting for one year from 1st July to 30th June.
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NOTE.—The above licences do not include hawking, nor snaring of quail for which a separate licence is required. The fee for this licence shall be Rs. 6 for one year from 1st July to 30th June for open seasons only.

(4) No refund of licence fees shall be granted except in special cases under the orders of the Chief Conservator of Forests.

(5) Any licence-holder who shoots a greater number of game animals than is permitted under the terms of his licence will be required to take out a special licence No. VII for Rs. 50 for each animal in excess so killed in addition to any other penalty for which he is liable.

Exchange of Licences.

31. (1) Exchange of licences is allowed as under :—

(a) Licence No. IV may be exchanged for licence No. I on payment of the differences in the amount of fees; provided that the applicant has not previously been in search of, or shot, any of the animals specified in clause I (A) Rule 30 (1).

(b) Licence No. V (a) may be exchanged for either of the

licence No. I or licence No. II on payment of the difference in the amount of fees.

(c) Licence No. V (b) may be exchanged for licence No. V (a) on payment of the difference in the amount of fees.

(d) Licence No. V (c) may be exchanged for either licence No. V (a) or No. V (b) on payment of the difference in the amount of fees.

EXPLANATION.—(2) An exchange under this rule can only be made before but not after the expiry of the licence.

CHAPTER VII.

32. No licence-holder is permitted to kill the following animals if the length of horn is below that mentioned in column 2 in respect of each species :—

1.				2.
Name of the animal.				Minimum length of horn.
Markhor(of any variety)	...	...	...	45 Inches.
Ibex ...	...	...	...	35 „
Ammon	...	...	...	38 „
Sharpu	...	...	...	24 „
Bharal	...	...	...	25 „
Antelope	...	...	...	22 „
Gazelle	...	...	...	10 „
Barasingha	...	...	...	35 „

33. Licence-holders shooting under-sized heads will be called upon to pay an additional fee of Rs. 50 for each under-sized head shot.

CHAPTER VIII.

34. Shooting, killing or catching of Yak is totally prohibited.

Prohibitions.

35. No Musk-deer may be shot, killed or caught except under a special licence mentioned in clause VII of Rule 30 (1) which will be issued by the Game Warden at his discretion in special cases only.

36. Shooting, killing or catching of Ibex is forbidden in the Valley of Kashmir (Kashmir Valley is defined as the basin of the Jhelum River and its tributaries above Baramulla);

37. The killing of Serow is prohibited between Chashmashahi and Dachigam Rakhs.

38. The killing of Markhor is prohibited in all nullahs flowing into the Indus above Rondu in Baltistan with the exception of nullahs specified in Rule 28.

39. The killing of Brown Bear is prohibited in the Kajnag and Kafirkund areas and in the whole of the Kashmir Valley.

40. (i) The killing of herons is prohibited throughout the State except on Trout streams under a special permit from the Game Warden.

(ii) Shooting of Starlings is strictly prohibited.

41. The killing of monkeys of all kinds is prohibited throughout the State.

42. Shooting from the high grounds enclosing the Jhils of Pampur, Kranchoo, Maniboog and Chandro is prohibited.

43. Shooting of the following birds and animals is prohibited in the localities mentioned against their names:—

Barasingha	Ramban.
Serow	Bhadarwah.
Chital	} Throughout the Jammu Province
Musk-deer	...	...
Females of Barking-deer	...	...
Females of Thar	...	...
Females of Goral	...	...
Peafowl	...	...
Nilkanth (Blue Jay)	

44. Shooting of Pig within a distance of 5 miles from any of the State Rakhs is prohibited.

45. All shooting or killing of any Game is prohibited on

the auspicious Birthdays of His Highness the Maharaja Bahadur and Shri Yuvraj Bahadur.

46. Grazing of cattle is prohibited in Lung Marg, Mohand Marg, Lar Marg, Kani Dalo and all intermediate grounds on the north side of the Sindh Valley.

47. Driving Big Game with men and dogs is prohibited in Kashmir Province. In the case of Black Bear, Leopard and Pig, the prohibition only applies to the period from 1st October to 15th March inclusive.

48. Shooting after sun-set and before sun-rise is prohibited.

49. Entering Game Sanctuaries without permission is prohibited.

50. Shooting, killing or catching of females of Ammon, Sharpu, Bharal, Markhor, Ibex, Antelop, Gazelle, Barking-deer, Barasingha and Brown Bear is prohibited.

NOTE.—The Game Warden is authorised to give written permission for a fixed number of females of these animals to be shot within a defined locality, when he is convinced that such action is necessary in the interest of sport. Such permission if given must be restricted to licence-holders or to Government servants detailed for this work.

51. The killing or capturing of any game by means of dogs is prohibited, provided that a licence-holder may use dogs to flush or retrieve Small Game or to find wounded Big Game.

52. No licence-holder or any other person shall possess any live wild bird or animal which has been seriously maimed or injured.

EXPLANATION.—The clipping of the wing feathers of a bird is not an injury under this rule.

53. The killing of Sharpu is forbidden in the Maidan lying to the north and south of the Treaty Road between Likir-Nullah and Buzgo.

54. No wild-fowl, pheasant, chikor or partridge may be captured by net, snare, line with hooks, or by the method known as Kakkuv-Patta or any other similar device except under a permit from the Game Warden as provided in schedule III of the Act.

55. Setting of any net, trap or other instrument for the purpose of capturing game near water or salt lick or near a path leading to water or to a salt lick is prohibited.

CHAPTER IX.

56. The following persons are authorised to lodge complaints under Section 23 of the Act and to require the production of a licence under Section 12 of the Act within their respec-

Persons authorised to lodge complaints and demand licences.

tive jurisdictions.

(i) Game Warden, Assistant Game Warden, Pisciculturist, Game Inspectors, Game Jamadars and Game Watchers.

(ii) Conservators, Deputy Conservators, Assistant Conservators, Forest Rangers, Foresters, Forest Guards and Watchers of the Forest Department.

(iii) Tehsildars and Naib-Tehsildars.

(iv) Police Officers.

CHAPTER X.

57. Shooting in Reserved Areas shall be allotted on application to officials stationed in Srinagar; to residents whose business or work lies in Srinagar and to visitors and other officials at the discretion of the Game Warden, provided they are licence-holders.

58. No allotment shall be valid without a permit which must be obtained beforehand and which must be handed over to an officer of the Game Preservation Branch or Forest Official on demand.

CHAPTER XI.

59. Rules 57 and 58 shall apply in the case of Game Reserves also, but the special permits shall be issued by the Game Warden at his discretion for fixed dates only and for not more than three consecutive days.

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HIS HIGHNESS' GOVERNMENT, JAMMU AND KASHMIR.

ACT NO. XXIV OF 1998.

THE JAMMU AND KASHMIR GAME PRESERVATION ACT, 1998.



JAMMU :

Printed at The Ranbir Government Press—15-11-98—401

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Municipal Law
Law - 7 & K
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The Jammu and Kashmir Game Preservation Act, 1998.

ACT No. XXIV OF 1998.

AN ACT TO AMEND AND CONSOLIDATE THE LAW RELATING TO
THE PROTECTION AND PRESERVATION OF GAME IN THE
JAMMU AND KASHMIR STATE.

Preamble WHEREAS it is expedient to amend and consolidate the law relating to the protection and preservation of Game in the Jammu and Kashmir

State, We hereby enact as follows :—

1. (1) This Act may be cited as the Jammu and Kashmir Game Preservation Act, 1998.
Short title, commencement and extent

(2) It shall come into force at once.

(3) It shall extend to the whole of the State :

Provided that Government may, by notification in the Government Gazette, exempt any place from the operation of the whole or any portion of this Act.

2 The Game Laws notifications issued from time to time and the rules framed thereunder are hereby repealed ; but all powers conferred, licences issued, exemptions granted, orders and appointments made, notifications published, rules, conditions and forms prescribed under the said notifications or the rules framed thereunder, so far as they are not inconsistent with the provisions of this Act, shall be deemed to have been respectively conferred, issued, granted, made, published and prescribed under this Act.
Repeal and savings.

3. This Act applies in the first instance, to the birds and animals specified in Schedules I, II, III and IV when in their wild state ;
Application of the Act.

Provided that Government, may, by notification in the Government Gazette, apply the provisions of this Act to any other species of bird or animal, which in their opinion, it is desirable to protect or preserve.

4. In this Act, unless there is anything repugnant in the subject or context :—

Definitions.

(1) "Animal" means an animal which suckles its young ;

- (2) "Big Game" means animals specified in Schedule II;
- (3) "Cattle" includes bulls, oxen, heifers, cows and calves, camels, buffaloes, horses, mares, geldings, ponies, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids;
- (4) "Forest Officer" includes all persons exercising powers under the Jammu and Kashmir Forest Act, (II of 1987);
- (5) "Forest Produce" means forest produce as defined in the Jammu and Kashmir Forest Act, (II of 1987);
- (6) "Game" includes both "Big Game" and "Small Game";
- (7) "Game Preservation Branch" means the Game Preservation Branch of the Forest Department;
- (8) "Game Reserve" means any area which has been or may be declared by Government by notification in the Government Gazette to be a Reserve for the preservation of game;
- (9) "Game Sanctuary" means any area which has been or may be declared by Government, by notification in the Government Gazette, to be a sanctuary for the preservation of game;
- (10) "Licence" means a licence issued under this Act;
- (11) "Officer of the Game Preservation Branch" means any person, whom Government, or any officer empowered by Government in this behalf, may, from time to time, appoint, by name or as holding an office, to carry out all or any of the purposes of this Act, or to do anything required by this Act or any rule made under this Act, to be done by an officer of the Game Preservation Branch;
- (12) "Police Officer" includes all persons exercising powers under the Jammu and Kashmir Act (II of 1983);
- (13) "Prescribed" means prescribed by rules made under this Act;
- (14) "Reserved Area" means any area declared by Government, by notification in the Government Gazette to be a reserved area;
15. "Small Game" means birds and animals specified in Schedule I;
- (16) "Vermin" means birds and animals specified in Schedule IV.

5. (1) Government may, from time to time, by previous Notification in the Government Gazette, declare any area, owned by them to be a Game Sanctuary, a Game Reserve or a Reserved Area, and may transfer such area from one category to the other if and whenever they may deem it expedient to do so.

Power to declare Game Sanctuaries, Game Reserves and Reserved Areas.

(2) Government or any officer empowered by them in this behalf, may, at any time, in respect of any area owned by them notify that any shooting, killing or capturing of Game for a particular period in that area is prohibited.

6. The extraction of forest produce from Game Sanctuaries and Game Reserves, not detrimental to the preservation of game, may be permitted by the Chief Conservator of Forests, but shooting or grazing, cultivation, habitation or traffic is prohibited ;

Limits on the exercise of certain acts in Game Sanctuaries and Game Reserves.

Provided that licence-holders may be allowed shooting by special permission of the Game Warden in the Game Reserves.

7. It shall not be lawful to cut trees, bushes, undergrowth and grass from a Reserved Area except under orders of the Chief Conservator of Forests ;

Limits on the exercise of certain acts in Reserved Areas.

Provided that licence-holders may be allowed shooting in such areas by special permission of the Game Warden.

8. (1) Small Game specified in Schedule I may, by virtue of a licence issued under this Act, be shot, bought, sold or offered for sale, during the respective periods specified in column 3 of the said schedule.

Conditions under which shooting and capturing permissible.

(2) Big Game specified in Schedule II, may by virtue of a licence issued under this Act, be shot to the extent permitted by such licence subject to the prohibitions prescribed.

(3) Game specified in Schedule III may be captured and possessed alive as call-birds or pets to the extent permitted in the said Schedule by licence-holders under a permit from the Game Warden, but sale of such call-birds or pets can only be allowed under a special permit.

(4) Except as provided above it shall not be lawful for any person to capture, possess or sell call-birds or pets.

9. Except as provided in Schedule III, it shall not be lawful to sell or export for sale live Small Game or to collect, possess, sell or export the eggs of peafowl or of any of the birds specified in Schedule I.

Prohibition against export and sale of Small Game.

Prohibitions regarding Big Game.

10. It shall not be lawful to :—

(i) possess, sell or export for sale live game animals specified in Schedule II Class A ;

(ii) sell or export for sale horns or skins of animals specified in Schedule II Class A ;

(iii) possess, sell or export for sale musk pods of

musk deer except under special permission of the Game Warden.

11. Government may, by notification, which may apply either to the whole of the State or to any specified part thereof.—
Power to add or exclude from Schedules

(a) add to, or exclude from, the Schedules I, II, III and IV any species of bird or animal subject to such conditions as they may impose in each case ;

(b) fix or alter the period during which any Game specified in Schedules I and II may be shot ;

(c) alter the number specified in Column 3 of Schedule III of Game which may be kept as call-birds or pets ;

(d) fix or alter the close season during which game shall not be shot, killed or captured ;

(e) alter or add to the prohibitions specified in Sections 9 and 10.

12. Any person in possession of any Game or any person found in search of any Game specified in Schedules I and II shall, if required so to do by a person authorised in this behalf, produce his licence on demand.
Person in possession of any game to produce his licence when required.

13. (1) Licences under this Act shall be issued in the form prescribed. Such licences shall be non-transferable and non-shareable.
Licenses.

(2) The fees chargeable in respect of such licences and the number and limitation of size of each species of game animals specified for each of them shall be fixed by Government from time to time and notified in the Government Gazette.

14. It shall not be lawful for any person to kill Game except by shooting under a licence or to proceed in search of or shoot or capture Game, except under and in accordance with the terms and conditions of his licence.
Prohibition against killing or shooting without licence.

15. It shall not be lawful to shoot, kill or capture Game in the close season.
Prohibition against shooting or capturing in close season.

16. (1) Subject to such restrictions or conditions as they may impose, Government may grant exemptions from payment of licence-fees.
Power to grant exemptions.

(2) Government may, where they are of opinion that such a course is desirable in the interests of scientific research or for the better protection or preservation of crops, grant free permits to do any act prohibited by this Act subject to such restrictions or conditions as they may impose.

17. (1) Any officer of the Game Preservation Branch or of the Forest or Police departments may arrest without warrant any person who commits or attempts to commit, or is reasonably suspected by such officer of having committed, or attempted to commit, an offence under this Act, if he has reasonable ground for believing that that person will abscond unless arrested, or if the name and address of that person are unknown to such officer and such person refuses on demand of such officer to give his name and address or gives a name and address which such officer has reason to believe to be false.

(2) Every person arrested under sub-section (1) shall be released on his giving his correct name and address or executing a bond, with or without sureties, to appear before a Magistrate, if so required.

(3) Should the true name and address of such person not be ascertained within 24 hours from the time of arrest, or should he fail to execute the bond, or if so required, to furnish sufficient sureties, he shall forthwith be forwarded to the nearest Magistrate having jurisdiction.

(4) Any officer who is empowered to make arrests may seize all guns, firearms and ammunition as well as all trophies dogs, nets, snare or other appliances found in the possession of any person who is arrested or against whom a reasonable suspicion exists of having been concerned in any offence punishable under this Act or who is found carrying them in such circumstances as afford reasonable ground for suspicion that he is carrying the same with the express purpose of catching or killing Game. A list of all things so seized shall be prepared by such officer or other person and signed by two or more witnesses.

18. (1) Government may, from time to time by previous notification in the Government Gazette, empower a gazetted officer or officers either by name or by virtue of office :—

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any offence punishable under this Act a sum of money by way of composition for such offence, and

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer or without payment according to circumstances.

(2) On the payment of such sum of money or such value if demanded, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the pro-

perty, if any seized, shall be released and no further proceeding shall be taken against such person or property.

(3) The sum of money accepted as composition under this section shall in no case exceed the amount of the highest licence fee chargeable for the time being for a licence under this Act provided that where the infringement of the provisions of this act relates to grazing of cattle in Game Sanctuaries and Game Reserves, the amount of composition shall not exceed one rupee per head of cattle or a total of fifty rupees in any one case,

and where fire-wood or grass has been cut from such Game Sanctuaries and Game Reserves the amount of such composition shall not exceed rupees five per person.

19. Government may, from time to time by notification

Power to confiscate
Game, guns, etc., and to
cancel or refuse licences.

in the Government Gazette, empower any gazetted officer either by name or by virtue of office,

(1) to confiscate any bird or animal in respect of which an offence punishable under this Act has been committed, or the flesh or any other part of such bird or animal ;

(2) to confiscate guns, implements, nets, and dogs used in or for the purpose of aiding the commission of such an offence ;

(3) to cancel licences and permits in cases of infringement of the provisions of this Act or of the rules made thereunder, and

(4) to refuse to issue a licence at his discretion and without assigning any reason.

20. (1) Whoever commits, abets or attempts to commit, a breach of any of the provisions of this Act or any rule made thereunder shall be

Penalties.

punished :—

(a) in case of an offence relating to a Game Sanctuary with fine which may extend to one hundred rupees on first conviction, and for every subsequent conviction of any such offence with imprisonment of either description for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both, and

(b) in the case of any other offence, with fine, which may extend to fifty rupees on first conviction and for every subsequent conviction of any such offence, with imprisonment of either description which may extend to one month, or with fine which may extend to one hundred rupees, or with both.

(2) In addition to any punishment awarded under sub-section (1), the convicted person shall be liable to forfeit all sums or other weapons or appliances and dogs used in and for

the purpose of aiding the commission of such offence as well as all trophies collected, and, if a *Shikari*, he shall also be liable to forfeit his permit for one year, or for such further period as may be considered necessary.

(3) Any *Shikari*, Watcher, or any other State employee who fails to report any infringement of the provisions of this Act or of any rule made thereunder on its being brought to his notice shall be liable to the punishment laid down in subsection (1).

21. Whoever, being a *Shikari*, takes up service with a sportsman without obtaining a permit from the Game Preservation Branch shall be punished as if he had committed an offence under Section 20 (1).

Penalty for *Shikari* taking up service without permit.

22. Whoever, with intent to cause damage or injury to the public, or to any person, or to cause wrongful gain as defined in the Ranbir Penal Code, alters, removes, destroys or defaces any boundary mark of a Game Sanctuary or of a Game Reserve or of a Reserved Area, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both.

Penalty for altering, removing, destroying or defacing boundary mark etc.

23. Any person or persons giving such *bonafide* information as shall lead to conviction under this Act or the rules made thereunder, shall be entitled to reward which may, at the discretion of the Magistrate trying the case, extend to the full amount of the fine inflicted.

Rewards.

EXPLANATION.—Government employees who give such information shall not be debarred from receiving the above rewards.

24. No court inferior to that of a Magistrate of the first class shall try any offence under this Act.

Trial of offences.

25. No court shall take cognizance of any offence under this Act except on the complaint of a person specially or generally authorised by the Government in this behalf.

Persons who may lodge complaints.

26. (1) Government, may, make rules consistent with this Act for the purpose of carrying into effect the provisions thereof.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, Government may make rules for all or any of the following purposes, namely:—

(a) to prescribe the forms in which, the terms and

conditions under which, and the officers by whom, licences or free permits may be granted;

(b) to prescribe the fees to be charged for a licence or licences;

(c) to prescribe the number of animals, and the limitation of sizes thereof, to be permitted under a licence or licences;

(d) to prescribe prohibitions regarding shooting, killing and catching of wild birds and animals according to necessity;

(e) to prescribe the person or class of persons who may make complaints of offences under this Act or may require the production of a licence under Section 12;

(f) to regulate the procedure in the matter of grant of rewards to be paid to persons giving information of offences under this Act, or to those killing vermin, and prescribing the officers by whom such rewards may be given;

(g) to prescribe and limit the powers and duties of any officers under this Act; and

(h) to regulate the grant of refund of licence fees paid under this Act.

(Sd.) HARISINGH,

MAHARAJA,

Jammu and Kashmir.

SCHEDULE I.

Schedule of Small Game which under section 8 (1) may by virtue of a licence issued under this Act, be shot, bought, sold, or offered for sale during the respective periods specified in Column 3, subject to the prohibitions prescribed.

1	2	3
Serial No.	Name.	Period.
1	Snipe, woodcock and Sand-grouse.	September, 1 to March, 31.
2	Geese, Duck and Teal ...	September, 16 to April, 15.
3	Chikor, Pheasant, Partridge (Grey and Black) and Jungle fowl.	October, 1 to end of February.
4	Snow-cock (Ramchikor) and snow Partridge.	October, 1 to April, 30.
5	Quail and Rufus Turtle Dove (Kamlowa).	September, 16 to May, 31.
6	Hare ...	September, 16 to March, 31.

NOTE.—(a) Hawking, and netting of quail is permissible only under a special licence.

(b) The dates mentioned are in all cases inclusive.

SCHEDULE II.

Schedule of Big Game which under Section 8 (2) may by virtue of a licence issued under this Act, be shot to the extent permitted by such licence subject to the prohibitions prescribed.

CLASS A.

Serial	No.	Name.
--------	-----	-------

-
- | | |
|----|---------------|
| 1 | Barasingha. |
| 2 | Brown Bear. |
| 3 | Markhor. |
| 4 | Ibex. |
| 5 | Serow. |
| 6 | Ammon. |
| 7 | Sharpu. |
| 8 | Bharal. |
| 9 | Urial. |
| 10 | Antelope. |
| 11 | Gazelle. |
| 12 | Musk-deer. |
| 13 | Barking-deer. |
| 14 | Chital. |
| 15 | Thar. |
| 16 | Goral. |

CLASS B.

Serial	No.	Name.
--------	-----	-------

-
- | | |
|----|----------------|
| 1 | Pig. |
| 2 | Black bear. |
| 3 | Himalyan Lynx. |
| 4 | Leopard. |
| 5 | Snow Leopard |
| 6 | Wolf. |
| 7 | Fox. |
| 8 | Jackal. |
| 9 | Otter. |
| 10 | Pine-marten. |
-

SCHEDULE III.

Schedule of Game birds and animals which under Section 8 (3) may be captured and possessed alive as call-birds or pets by licence-holders to the extent specified in Column 3 and which may be sold by them under a special permit.

1	2	3
Serial No.	Name.	Number permitted.
1	Chikor	... One pair.
2	Partridges (Black & Grey)	Two pairs of each kind.
3	Quail	... One dozen.
4	Black Bear	... Two.

SCHEDULE IV.

The following birds and animals are classed as "Vermin":—

Serial No.	Name.
1	Leopard.
2	Snow Leopard.
3	Wolf.
4	Jackal.
5	Fox.
6	Otter.
7	Lynx.
8	Wild cat.
9	Pine-marten.
10	Mongoose.
11	Carrion-Crow.
12	Cormorant and other fish killing birds.

NOTE—The animals specified above may be trapped by virtue of a license issued under this Act.

NOTIFICATION 1.

In exercise of the powers conferred by section 1, sub-section (3) of Jammu and Kashmir Game Preservation Act, the Government are pleased to exempt the following places from the operation of the Act.

- (a) Illaqa of Poonch and Chenani.
- (b) State Rakhs specified in the Schedule attached hereto of which may hereafter be declared as State Rakhs.
- (c) 1. The Gandoos and Rambak nullahs belonging to the Raja of Khaplu.
- 2. The Shigar, the Rondu and the Kiris Nullahs, also portions of the Mantho and Satpur nullahs as demarcated in 1905 A. D. belonging to the Rajas of Tolti and Skardu respectively—
- 3. The Harcho nullah in Astor belonging to the Raja of Astor.

SCHEDULE.

LIST OF STATE RAKHS.

Kashmir Province.

1. Dachigam.
2. Khunmu and grass-farm between Sangri and Chak Khanmoo.
3. Khrew.
4. Tral-cum-Khiram and Panyar.
5. Khul basin in Awantipura Tehsil.
6. Anchar Lake from Petkundal to Sangam.
7. Hoker Sar Jhil.
8. Dev Bhawan, Fresh Nar and Gallan Nullahs of Khiram Big Game area.

Jammu Province.

- | | | | |
|--------------------|-----------------------------------|---|-------------------------|
| 1. Ramnagar | ... | } | Jammu Tehsil. |
| 2. Keran | ... | | |
| 3. Kheri | ... | | |
| 4. Bahu | ... | | |
| 5. Mansar (Tunnel) | Jammu and Reasi Tehsils. | | |
| 6. Mansar (Sagoon) | Jammu Samba and Ramnagar Tehsils. | | |
| 7. Sansu | ... | } | Udhampur Tehsil. |
| 8. Tandeh | ... | | |
| 9. Nehranai | ... | } | Ramnagar Tehsil. |
| 10. Kotli | ... | | |
| 11. Thanoa | ... | | |
| 12. Janganoo | ... | | |
| 13. Makwal | ... | } | Ranbirsinghpura Tehsil. |
| 14. Badyal | ... | | |
| 15. Agra Chak | ... | | |
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NOTIFICATION 2.

In supersession of all previous notifications, issued in this behalf and in exercise of the powers conferred by section 5 of the Jammu and Kashmir Game Preservation Act 1998; Government are hereby pleased to declare the following areas as Game Sanctuaries, Game Reserves and Reserved Areas respectively :—

I. GAME SANCTUARIES.

Kashmir Province.

- (i) Ajjas area and Jhil.
- (ii) Khushmul and Yimu basins in Baltistan.
- (iii) Rajparin and Bewa basins in Nowbug Valley.
- (iv) Sommjani and Sapphire mines nullah in Kishtwar.
- (v) Askor Nullah in Rondu, Baltistan.
- (vi) Pond near Sri-Gouri Shanker in Kishtwar.
- (vii) Shankaracharya Hill and also slopes of the mountains behind Shankaracharya Hill from Aitgaji to Pandrethan.

2. *Jammu Province.*

Places sacred to all communities.

II. GAME RESERVES.

Kashmir Province.

- (i) Achhabal Rakh.
- (ii) Chhatargul Nullah in Sindh Valley.
- (iii) Wangat Nullah in Sindh Valley.
- (iv) Khandi and Kharus Nullahs in the Uri Tehsil, the lower boundary of which is the new road to Haji Pir.
- (v) Chashma Shahi Rakh.
- (vi) Astor shooting area as specified in Schedule A.
- (vii) Kajnag and Kafirgund areas including the Salkhala the Moji and Shamsberry Rakhs.
- (viii) Oвра Rakh in Lidder Valley.
- (ix) Khiram Rakh (Big Game area except Nullahs Dev Bhawan, Fresh Nar and Gallan).

Ladakh.

- (i) Ovis-ammon Blocks (specified in Schedule A).
- (ii) Sharpu Blocks (specified in Schedule B).

Jammu Province.

- (i) All the Rakhs under the Revenue Department.
- (ii) Shashehra Forest—an area near Rajouri in the Mirpur Forest Division.
- (iii) Jhallangar Forest, an area near Reasi in the Reasi Forest Division.
- (iv) Jasrota Forest I and II including Bagni-Block an area near Kathua in the Kathua Forest Division.
- (v) Dalsar.
- (vi) Marh.
- (vii) Gurah.

III. RESERVED AREAS.

Kashmir Province.

- (i) The Dara area.
 - (ii) The Nishat and Bren area.
 - (iii) The Pampur, Karanchoo, Maniboog and Chadaro Jhils.
 - (iv) Mirgund Jhil.
 - (v) Hygam Jhil.
-

SCHEDULE A.

1. The tributaries of the Indus from Dumochok to Koyul.
 2. The watershed of the Koyul river as far as its junction with the Indus, below this all tributaries, of the Indus as far as big bend of the river at Dungti.
 3. Hanle river basin as far as South of Hangle Monastery.
 4. Hanle river basin south of (3).
 5. The tributaries of the Indus between the Hanle river and Puga river.
 6. The country lying between 3 and 4 on the East, 5 on the North and 6 on the West.
 7. The basin of the Salt Lake and tributaries of the Indus between (and including) the Puga river as far as the water of the Tiri Foo.
 8. The basin of the Tsomoriri lakes and the Phirsi Nallah.
 9. The Tiri Foo and the country lying to the north bounded by Indus on the north and east, the Leh Kulu road on the West and the watershed of Tsoker Camo plain on the South.
 10. The watershed of the Zera and Rukchen river.
 11. The watershed of the Marka river.
 12. The Kharnak nullah.
 13. The triangular area lying between Choosbal on the north, the Frontier on the east the watershed of the Choosbal river and Chamtnag Foo on the west and the Indus on the south from Chamtnag to Dungti.
 14. The catchment areas of Tanse river.
 15. The Changchanmo area.
-

SCHEDULE B.

1. The Igu and Chimre nullah.
 2. Nag and Sabu.
 3. Phyang and Tara.
 4. Umla and Nimo.
 5. Bazgo and Myel.
 6. Likir and Suspul and Waleh-Drokpa.
 7. Hemis Shupka, Nurla and Khalsi.
 8. Damkar and Hanu.
 9. Hemiskit and Wanla.
 10. Iluchi and Lardu.
 11. The watershed of the Zaskar and Marka-rivers below,
but including the Skew nullah.
 12. Rumpakh.
 13. Stock and Shang.
 14. Masho.
 15. Shera and Lockey.
 16. Kamdok.
-

NOTIFICATION 3.

In supersession of all previous Notifications issued in this behalf and in exercise of the powers conferred by Section 11 (d) of the Jammu and Kashmir Game Preservation Act, 1998, Government are hereby pleased to direct that the following Game shall not be shot or captured during the close seasons specified below :—

KASHMIR PROVINCE

(including Kishtwar tehsil of Jammu Province).

*Big Game.**Close season.*

- | | | |
|---------------|----|-------------------------------|
| 1. Barasingha | .. | 16th March to 15th September. |
| 2. Ammon | .. | 16 October to 15th April. |

Small Game.

- | | |
|---------------------------------------|---------------------------------|
| 1. Chikor, Partridges, and Pheasants. | 1st March to 30th September. |
| 2. Geese, Duck and Teal.. | 16th April to 15th September. |
| 3. Snipe, Woodcock and Sand Grouse. | 1st April to 15th September. |
| 4. Ramchikor | .. 1st May to 30th September. |
| 5. Quail. | .. 1st June to 15th September. |
| 6. Hare. | .. 1st April to 15th September. |

JAMMU PROVINCE

(excluding Kishtwar Tehsil).

Big Game.

Pig, Goral and Barking-deer 1st March to end of August.

Small Game.

The same as in Kashmir Province.

NOTE.—(a) The dates mentioned are in all cases inclusive.

(b) Hawking is prohibited during the respective periods specified above.

NOTIFICATION 4.

RULES.

In exercise of the powers conferred by section 26 of the Jammu and Kashmir Game Preservation Act 1998, Government are hereby pleased to make the following rules :—

1. These rules shall be called the Jammu and Kashmir Game Preservation Rules.

2. They shall extend to the areas to which the Jammu and Kashmir Game Preservation Act 1998, (hereinafter referred to as 'the Act') extends.

3. In these rules unless there is anything repugnant in the subject or context—

(a) "Game Warden" means the officer in charge of the Game Preservation Branch of the Forest Department.

(b) "Shikari" means a person registered by the Game Warden and granted a Shikari-permit as such.

CHAPTER I.

4. The Game Warden is authorised to exercise the following powers under the Act :—

Powers of the Game Warden.

(i) General control of matters concerning Game.

(ii) Issue of Licences.

(iii) Issue of permits for shooting in Game Reserves and Reserved Areas.

(iv) Powers of a Civil Court to compel the attendance of witnesses and the production of documents in cases relating to offences under the aforesaid Act.

(v) Registration of Shikaris and cancellation of their Shikari-permits.

(vi) Issue of special permits for killing vermin.

(vii) Grant of rewards in accordance with the rules for killing vermin.

(viii) Grant of free permits to zamindars to kill wild animals as detailed on the permits for the protection of their crops and live stock subject to the conditions prescribed.

(ix) Cancellation of licences in cases of infringement of the provisions of the Act or of these rules.

(x) Power to refuse at his discretion the issue of a licence or permit.

(xi) Power to compound offences under Section 18 of the Act.

(xii) Power to confiscate game guns etc. under Section 19 of the Act.

(xiii) Power to Notify the closure of any area for shooting or capturing of Game.

CHAPTER II.

5. No person shall take service as a Shikari with a licence holder unless he has been registered as a Shikari by the Game Warden and granted a Shikari-permit on the prescribed form which shall be renewable annually.

CHAPTER III.

6. The Game Warden is authorised to grant rewards not exceeding the amount of the composition realised to persons giving *bonafide* information about an offence against the Act.

7. The following scale of rewards may be paid by the Game Warden for vermin killed by licence-holders or by any other person specially authorised to kill them :—

(i) Leopard and snow leopard	Rs. 10	0	0	each.
(ii) „ „ „ (Cub) ...	„	5	0	0 „
(iii) Wolf, Lynx and Otter ...	„	5	0	0 „
(iv) Marten and wild-cat ...	„	2	0	0 „
(v) Mongoose and Carrion-crow, cormorant and other fish killing vermin	„	0	4	0 „

8. In all cases the reward will be paid on the skin being brought or sent to the Game Warden (or in the case of the Jammu Province to the Assistant Game Warden Jammu) by the Killer before it is cured. The skin will then be stamped under the authority of the Game Warden (or in the case of the Jammu Province of the Assistant Game Warden Jammu) and returned to the owner if he is a licence-holder.

9. No reward will be paid in respect of skins brought in by skin merchants or taxidermists.

CHAPTER IV.

10. All applications for licences under Rule 4 (ii) and for the grant of free permits under Rule 4 (viii) shall be made to the Game Warden or to the Assistant Game Warden.

11. When a licence granted under these Rules is lost or accidentally destroyed, the authority which granted the licence may grant a duplicate thereof on payment of one rupee by the original licence-holder.

12. Every licence-holder shall return the licence duly signed on the expiry of its period to the authority which granted it with a statement showing the number of game animals killed by him.

13. No skin merchant or taxidermist shall purchase or take into his possession the skin of any wild animal from any person not holding a licence under the Rules.

14. No skin merchant or taxidermist shall refuse, on demand by the Game Warden or by any person authorised by the Game Warden in this behalf, to furnish information relating to the possession, purchase or sale of skins by him.

CHAPTER V.

15. For shooting in Astore, Kajnag and Kafirkund Ladakh and Baltistan licence-holders shall be required to obtain special permits from the Game Warden, Srinagar.

The shooting season for Astore, Kajnag and Kafirkund, Ladakh and Baltistan is divided into two periods as follows:—

First period	...	16th	to	15th July.
Second period	...	16th	to	15th October
(both dates inclusive).				

Booking of Game Reserves in these areas starts on 2nd January every year.

Permits for the first period shall be granted to licence-holders in order of receipt of their applications after their arrival in Srinagar.

Permits for the second period shall be granted to licence-holders in order of receipt of their applications.

Astore Shooting Area.

The Astore shooting area comprises:—

Definition.

(i) the catchment area of the streams flowing from the Kamri and the Burzila passes to their junction near Gurukot.

(ii) the catchment area of the Astore river between the above junction and Ramghat.

(iii) the catchment area above Ramghat of nullahs on the left bank of the Indus as far as the junction of the Gilgit river and above this the whole of the country on both banks of the Indus situated in Bunji Niabat including Bulatchi nullah.

NOTE :—The upper limit of the Bunji Niabat on the left bank of the Indus is near Bulatchi village and on the right bank is the camping ground at Shangus.

16. No licence-holder holding a special permit for shooting in Astore shall enter the Astore shooting area from Foola Waiye and Kel through Mir Malik.

17. No Shikari from the Kashmir Province shall enter the Astore shooting area unless he obtains the written permission of the Game Warden to do so.

18. Permits to ten guns only shall be issued during each period out of whom six only shall be permitted to shoot Markhoor in any such
Open Nullahs.
of the following nullahs :—

- (1) Dashkit,
- (2) Mushkin,
- (3) Abadipur,
- (4) Burnai,
- (5) Mayadas,
- (6) Shaltar,
- (7) Burduch, and
- (8) Garey.

The remaining four guns shall get permits to shoot Ibex, Sharpu and Brown Bear in—

(i) the nullahs flowing into the Kamri river except the Mir Malik nullah, and

(ii) the nullahs flowing into the Astore river on the left bank below Astore and both banks above Astore.

19. The shooting of game is altogether prohibited in the following nullahs :—

Closed Nullahs.

(i) Nullahs on the right bank of the Astore river below Astore as far as Bunji,

(ii) Nullahs in Bunji Tehsil flowing into the Indus above Bunji, and

(iii) Nullahs running into the Indus below Ramghat.

Kajnag and Kafirkund Areas.

20. The Kajnag and Kafirkund shooting area comprises the range of mountains and all off-shoots therefrom from Baramulla to Domel, the drainage of which flows into the rivers Pohru, Jhelum, Karnah and Kishenganga.

21. Permits to six guns only shall be issued during each period. Each of the six guns in each period shall be allowed to shoot in any one of the following nullahs :—

(i) The Limber including the Gretnar and the Bhimiar branches.

(ii) Islamabad.

(iii) Gujar.

(iv) Maidan.

(v) The Domel and Rapade beats in Kathia nullah.

(vi) The left side of Moji nullah.

22. The shooting of Markhor is prohibited in the following areas :—

(i) Goretal nullah.

(ii) Malangan nullah.

(iii) Shamsberry area.

(iv) Shalkhalla area.

23. Grazing or introduction of dogs is prohibited in Kajnag, Kafirkund areas including the Shalkhalla, the Moji and Shamsberry Rakhs above the Game Reserve boundary.

24. The shooting of Brown Bear is prohibited in the Kajnag and Kafirkund areas.

Ladakh.

25. The following Game Reserves are available for allotment in the Ladakh shooting area :—

Ovis Ammon.—Reserves Nos. 2, 4, 5, 6, 8, 10, 11, 13, and 15 *vide* Schedule A to Notification 2.

Sharpu.—Reserves Nos. 1, 4, 5, 6, 8, 9, 11, 12, 14, 15, and 16, *vide* Schedule B to Notification 2.

26. (i) In each period the number of guns allowed shall not exceed 8 in Ammon and 10 in Sharpu Reserves. Each licence-holder will be allowed one Ammon Reserve and one Sharpu Reserve. Out of the above guns three will be allowed to shoot in Changchanmo area for Antelope in addition to the Sharpu and Ammon Reserves.

(ii) The rest of the country not included in the reserves except the Changchanmo area may be shot over by any licence-holder holding a Ladakh permit.

(iii) The Stok nullah is available for shooting by licence-holders holding frontier licence for Ladakh under Rule 30 (III).

27. The names of all licence-holders obtaining permission to shoot in the Ladakh territory will be notified by the Game Warden to the Wazir Wazarat Ladakh.

Baltistan.

28. The following nullahs in Baltistan are available for allotment :—

- (i) Alchor,
- (ii) Heshpa,
- (iii) Nurh,
- (iv) Ghoru,
- (v) Turmic,
- (vi) Tsrui, and
- (vii) Bragicha.

29. (i) One gun will be permitted to shoot in one nullah for each period.

(ii) No gun will be allowed to shoot more than two Ibex and one Markhor in the nullah allotted to him.

(iii) No licence-holder shall enter the Astore area from Baltistan except with the special permission of the Revenue Assistant, Bunji.

CHAPTER VI.

30. (i) The following shall be the various kinds of licences which can be granted under these rules and the fees prescribed for each of them :—

Fees.

Summer Big Game Licence.

(1) A licence for which a fee of Rs. 125 is prescribed permitting the holder to shoot the following species and number of animals from March 16 to November 15 :—

(A) BIG GAME.

Markhor of any variety.	...	...	...	1
Ibex (one only in Ladakh)	...	...	...	2
Sharpu	...	...	...	2
Ammon	...	...	...	2
Bharal	...	...	...	2
Antelope	...	...	...	4
Gazella	...	...	...	3
Barasingha	...	...	...	1
Serow	...	...	...	1
Brown Bear	...	...	...	2
Thar	...	...	...	1
Goral	...	...	...	2
	...	...	...	4

(B) **SMALL GAME.**—In season as specified Any number.
in Schedule I of the Act and Big
Game specified in Schedule II Class B
of the Act.

Winter Big Game Licence.

(II) A winter licence, for which a fee of Rs. 70 is prescribed and which will remain in force from November, 16 to March, 15, permitting the holder to shoot the following species and number of animals :—

BIG GAME.

Markhor of any variety	...	...	...	1
Ibex	...	...	...	1
Sharpu	...	...	...	2
Bharal	...	...	...	3
Antelope	...	...	...	2
Gazelle	...	...	...	1
Barasingha	...	...	...	1
Serow	...	...	...	1
Thar	...	...	...	2
Brown Bear	...	...	...	1
Goral	...	...	...	3

(C) **SMALL GAME.**—In season as specified in Any number.
Schedule I of the Act and Big Game specified
in Schedule II Class B of the Act

Frontier Licence.

III. (1) A licence for which a fee of Rs. 50 is prescribed and which will remain in force from November, 16 to March, 15 entitling the holder to shoot, except in Reserved Areas, the following species and number of animals subject to a maximum of 4 Sharpu and 2 Ibex in all :—

BIG GAME.

(a) In Baltistan and Lower Ladakh i.e. below Khalsi on the Indus.	{ Ibex	2
	{ Sharpu	2
(b) In upper Ladakh i.e. above Khalsi on the Indus.	{ Sharpu	2
	{ Bharal	2
(c) In Astore and Bunji	{ Sharpu	4
	{ Ibex	1
(d) In Guraish Valley	{ Brown	
	{ Bear	1

(e) **SMALL GAME.**—In season as specified Any number in Schedule I of the Act and Big Game specified in Schedule II Class B of the Act.

2. These licences are strictly limited in number and will be issued in special cases only by the Game Warden. No person can hold licences II and III at the same time.

Black Bear Licence.

IV. A licence, for which a fee of Rs. 15 is prescribed premitting the holder to shoot the animals mentioned in Class B of Schedule II of the Act, except Pigs, without limit from April 1st to March 31st, subject to the prohibitions prescribed.

Small Game Licence.

V. (a) A Small Game season licence for which a fee of Rs. 55 is prescribed and which will remain in force from September, 1 to April, 30, enabling the holder to shoot Small Game in season as specified in Schedule I of the Act, and Big Game specified in Schedule II Class B of the Act.

This licence does not entitle the holder to shoot within any Game Reserve except in the case of Pigs and Pheasants for shooting which a special permit may be issued by the Game Warden at his discretion.

Small Game Two Months' Licence.

(b) A small game licence, for which a fee of Rs. 30 is prescribed enabling the holder to shoot as provided under licence V (a) above but for a period of two months only running from the date of issue.

Small Game 15 Days' Licence.

(c) A small game licence, for which a fee of Rs. 15 is prescribed enabling the holder to shoot as provided under licence V (a) above but for a period of 15 days only running from the date of issue.

Punt Gun Licence.

(d) A small game licence, for which a fee of Rs. 50 is prescribed, enabling the holder to shoot wild-fowl with long guns from punts from September, 16 to April, 15.

Trapping Licence.

VI. A trapping licence for which, a fee of Rs. 40 is prescribed, issued for trapping animals mentioned in Schedule IV for one year from 1st April to 31st March subject to the conditions that the licence-holder shall not engage or employ more than two unlicensed persons to assist him with his gear. Only six traps are allowed on each licence.

Musk-Deer Licence.

VII. A special licence, for which a fee of Rs. 50 is prescribed enabling the holder :—

(a) to shoot one musk-deer; or

(b) if he is a holder of licence No. I, II or III to shoot one specimen extra of any one of the animals specified in his licence except Markhor, Ammon and Serow.

(2) Licences, I, II, IV, V, VI and VII shall be applicable to the whole of the Jammu and Kashmir State.

(3) For Jammu Province (excluding Kishtwar Tehsil) the scale of fees for shooting licence shall be as follows :—

Big and small game in season	Rs. 10 for shooting for one year from 1st July to 30th June.
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Small game in season	... Rs. 5 for shooting for one year from 1st July to 30th June.
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NOTE.—The above licences do not include hawking, nor snaring of quail for which a separate licence is required. The fee for this licence shall be Rs. 6 for one year from 1st July to 30th June for open seasons only.

(4) No refund of licence fees shall be granted except in special cases under the orders of the Chief Conservator of Forests.

(5) Any licence-holder who shoots a greater number of game animals than is permitted under the terms of his licence will be required to take out a special licence No. VII for Rs. 50 for each animal in excess so killed in addition to any other penalty for which he is liable.

Exchange of Licences.

31. (1) Exchange of licences is allowed as under :—

(a) Licence No. IV may be exchanged for licence No. I on payment of the differences in the amount of fees; provided that the applicant has not previously been in search of, or shot, any of the animals specified in clause I (A) Rule 30 (1).

(b) Licence No. V (a) may be exchanged for either of the

licence No. I or licence No. II on payment of the difference in the amount of fees.

(c) Licence No. V (b) may be exchanged for licence No. V (a) on payment of the difference in the amount of fees.

(d) Licence No. V (c) may be exchanged for either licence No. V (a) or No. V (b) on payment of the difference in the amount of fees.

EXPLANATION.—(2) An exchange under this rule can only be made before but not after the expiry of the licence.

CHAPTER VII.

32. No licence-holder is permitted to kill the following animals if the length of horn is below that mentioned in column 2 in respect of each species :—

1.				2.
Name of the animal.				Minimum length of horn.
Markhor(of any variety)	...	...	...	45 Inches.
Ibex ...	...	...	...	35 „
Ammon	...	...	...	38 „
Sharpu	...	...	...	24 „
Bharal	...	...	...	25 „
Antelope	...	...	...	22 „
Gazelle	...	...	...	10 „
Barasingha	...	...	...	35 „

33. Licence-holders shooting under-sized heads will be called upon to pay an additional fee of Rs. 50 for each under-sized head shot.

CHAPTER VIII.

34. Shooting, killing or catching of Yak is totally prohibited.

Prohibitions.

35. No Musk-deer may be shot, killed or caught except under a special licence mentioned in clause VII of Rule 30 (1) which will be issued by the Game Warden at his discretion in special cases only.

36. Shooting, killing or catching of Ibex is forbidden in the Valley of Kashmir (Kashmir Valley is defined as the basin of the Jhelum River and its tributaries above Baramulla);

37. The killing of Serow is prohibited between Chashmashahi and Dachigam Rakhs.

38. The killing of Markhor is prohibited in all nullahs flowing into the Indus above Rondu in Baltistan with the exception of nullahs specified in Rule 28.

39. The killing of Brown Bear is prohibited in the Kajnag and Kafirkund areas and in the whole of the Kashmir Valley.

40. (i) The killing of herons is prohibited throughout the State except on Trout streams under a special permit from the Game Warden.

(ii) Shooting of Starlings is strictly prohibited.

41. The killing of monkeys of all kinds is prohibited throughout the State.

42. Shooting from the high grounds enclosing the Jhils of Pampur, Kranchoo, Maniboog and Chandro is prohibited.

43. Shooting of the following birds and animals is prohibited in the localities mentioned against their names:—

Barasingha	Ramban.
Serow	Bhadarwah.
Chital	} Throughout the Jammu Province
Musk-deer	...	...
Females of Barking-deer	...	...
Females of Thar	...	...
Females of Goral	...	...
Peafowl	...	...
Nilkanth (Blue Jay)	...	...

44. Shooting of Pig within a distance of 5 miles from any of the State Rakhs is prohibited.

45. All shooting or killing of any Game is prohibited on

the auspicious Birthdays of His Highness the Maharaja Bahadur and Shri Yuvraj Bahadur.

46. Grazing of cattle is prohibited in Lung Marg, Mohand Marg, Lar Marg, Kani Dalo and all intermediate grounds on the north side of the Sindh Valley.

47. Driving Big Game with men and dogs is prohibited in Kashmir Province. In the case of Black Bear, Leopard and Pig, the prohibition only applies to the period from 1st October to 15th March inclusive.

48. Shooting after sun-set and before sun-rise is prohibited.

49. Entering Game Sanctuaries without permission is prohibited.

50. Shooting, killing or catching of females of Ammon, Sharpu, Bharal, Markhor, Ibex, Antelop, Gazelle, Barking-deer, Barasingha and Brown Bear is prohibited.

NOTE.—The Game Warden is authorised to give written permission for a fixed number of females of these animals to be shot within a defined locality, when he is convinced that such action is necessary in the interest of sport. Such permission if given must be restricted to licence-holders or to Government servants detailed for this work.

51. The killing or capturing of any game by means of dogs is prohibited, provided that a licence-holder may use dogs to flush or retrieve Small Game or to find wounded Big Game.

52. No licence-holder or any other person shall possess any live wild bird or animal which has been seriously maimed or injured.

EXPLANATION.—The clipping of the wing feathers of a bird is not an injury under this rule.

53. The killing of Sharpu is forbidden in the Maidan lying to the north and south of the Treaty Road between Likir-Nullah and Buzgo.

54. No wild-fowl, pheasant, chikor or partridge may be captured by net, snare, line with hooks, or by the method known as Kakkuv-Patta or any other similar device except under a permit from the Game Warden as provided in schedule III of the Act.

55. Setting of any net, trap or other instrument for the purpose of capturing game near water or salt lick or near a path leading to water or to a salt lick is prohibited.

CHAPTER IX.

56. The following persons are authorised to lodge complaints under Section 23 of the Act and to require the production of a licence under Section 12 of the Act within their respective

Persons authorised to lodge complaints and demand licences.

tive jurisdictions.

(i) Game Warden, Assistant Game Warden, Pisciculturist, Game Inspectors, Game Jamadars and Game Watchers.

(ii) Conservators, Deputy Conservators, Assistant Conservators, Forest Rangers, Foresters, Forest Guards and Watchers of the Forest Department.

(iii) Tehsildars and Naib-Tehsildars.

(iv) Police Officers.

CHAPTER X.

57. Shooting in Reserved Areas. Shooting in Reserved Areas shall be allotted on application to officials stationed in Srinagar; to residents whose business or work lies in Srinagar and to visitors and other officials at the discretion of the Game Warden, provided they are licence-holders.

58. No allotment shall be valid without a permit which must be obtained beforehand and which must be handed over to an officer of the Game Preservation Branch or Forest Official on demand.

CHAPTER XI.

59. Rules 57 and 58 shall apply in the case of Game Reserves also, but the special permits shall be issued by the Game Warden at his discretion for fixed dates only and for not more than three consecutive days.

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